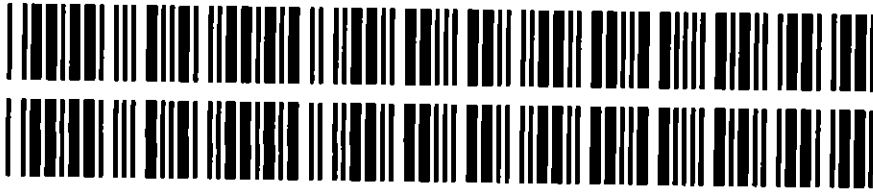
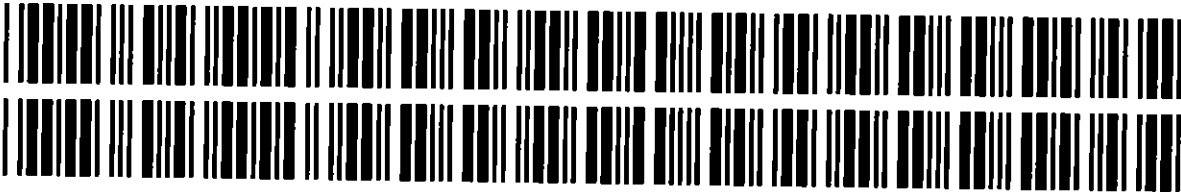


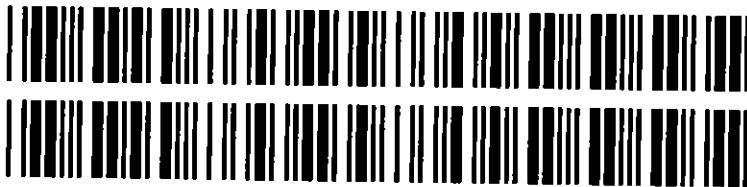
CV-S-00-0647



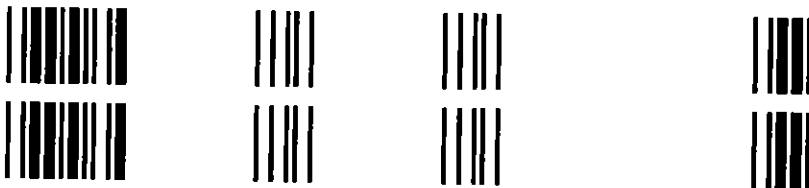
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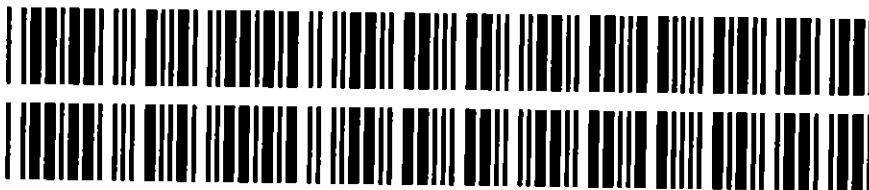
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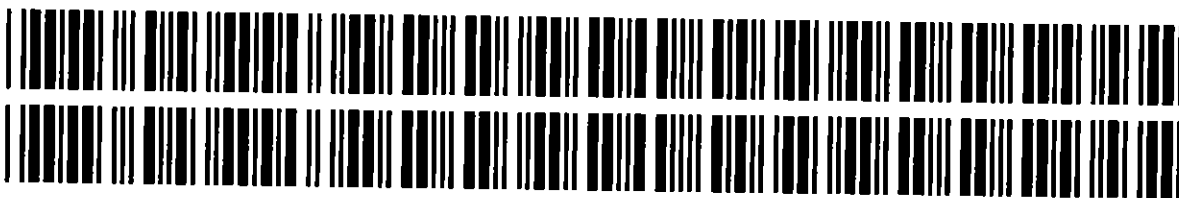
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CV-S-00-0647



CV-S-00-0647-0001



05/18/2000



MITCHELL D. GLINER, ESQ.
Nevada Bar #003419
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Las Vegas, NV 89102
(702) 870-8700
Attorney for Plaintiff

FILED
MAY 18 2000
BY [Signature]

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JERROD F. LOGUE,

Plaintiff,

vs.

FLEET CREDIT CARD SERVICES,
L.P., a foreign entity,

Defendant.

CV-S-00-0647-JBR-LRL

SIX PERSON JURY DEMANDED

LAW OFFICES

MITCHELL D. GLINER
3017 W. Charleston Blvd
Suite 95
Las Vegas, Nevada 89102

(702) 870 8700

COMPLAINT

1. The jurisdiction of this Court is conferred by 15 U.S.C. § 1681p. Venue lies in the Southern Division of the Judicial District of Nevada as Plaintiff's claims arose from acts of the Defendant perpetrated therein.

PRELIMINARY STATEMENT

2. The Plaintiff brings this action for damages based upon Defendant's violations of the Fair Credit Reporting Act, 15 U.S.C. Section 1681 et seq. (hereinafter referred as the "FCRA"). Plaintiff seeks actual damages, punitive damages, costs and attorney's fees.

3. Plaintiff is a natural person and is a resident and a citizen of the State of Nevada and of the United States. Plaintiff is a "consumer" as defined by § 1681a(c) of the FCRA.

1 4. The Defendant, Fleet Credit Card Services, L.P.,
2 (hereinafter referred to as "User") is a foreign entity.

3
4 **CAUSE OF ACTION**

5 **Statement of Facts**

6
7 5. On or about April 13, 2000, Plaintiff received a credit
8 report from Experian Information Solutions, Inc. (Exhibit 1).
9 Exhibit 1 reflects that User repeatedly accessed Plaintiff's credit
10 profile during 1998. Exhibit 1 reflects that during the first two
11 weeks of June, 1998, User accessed Plaintiff's credit profile 10
12 times.

13 6. The referenced inquiry has become a permanent component
14 of the Plaintiff's credit profile and is reported to those who ask
15 to review the credit history of the Plaintiff.

16 7. Upon best information and belief, User agreed and
17 represented in its agreements with the various credit reporting
18 agencies that User would request and use consumer reports which
19 were obtained from said agencies only for purposes which are lawful
20 under the FCRA as defined under § 1681b.

21 8. User was required pursuant to FCRA §§ 1681b(f), 1681n and
22 1681o to refrain from obtaining consumer reports from credit
23 reporting agencies under false pretenses.

24 9. At no time material hereto did Plaintiff ever have a
25 relationship of any kind with User as defined under FCRA
26 § 1681b(a)(3)(A)-(F).

27 10. User has never ever been ordered by a court of competent
28 jurisdiction to issue a consumer report pursuant to FCRA

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1 § 1681b(a)(1). Plaintiff has never knowingly given written
2 instructions to User to obtain and/or release to a third party a
3 consumer report of which Plaintiff was the subject pursuant to FCRA
4 § 1681b(a)(2).

5 11. User had an affirmative duty to follow reasonable
6 procedures, including those that would prevent the impermissible
7 accessing of consumer reports.

8 12. Reasonable procedures for users include restricting the
9 ability of its agents to obtain consumer reports on consumers for
10 any impermissible purpose.

11 13. Upon best information and belief, User's illegal and
12 surreptitious acquisition of Plaintiff's credit reports derived
13 from an interest and priority well beyond the scope of the FCRA.

14 14. User has, upon best information and belief, compromised
15 its relationship with the various credit reporting agencies in
16 falsifying the basis upon which Plaintiff's report was obtained.

17 15. User has compromised Plaintiff's access to credit in
18 imparting to past, present and future credit grantors that
19 Plaintiff has applied for credit in tandem with a relationship with
20 User.

21 **Statement of Claim**

22 16. Defendant/User willfully and/or negligently violated
23 the provisions of the FCRA in the following respects:

- 24
25 a. User has falsely, purposely, surreptitiously and
26 maliciously obtained the Plaintiff's credit reports
27 in violation of FCRA § 1681b(f).
28

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1 b. User has falsely, purposely, surreptitiously and
2 maliciously obtained the Plaintiff's credit reports
3 in violation of FCRA § 1681n.

4
5 c. User has obtained the Plaintiff's credit reports in
6 violation of FCRA § 1681o.

7
8 **PRAYER FOR RELIEF**

9
10 THEREFORE, Plaintiff prays that the court grant:

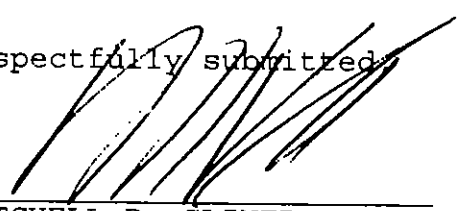
11 a) actual damages in the amount of \$50,000 as to
12 Plaintiff's Cause of Action;

13
14 b) punitive damages in the amount of \$200,000 as to
15 Plaintiff's Cause of Action;

16
17 c) attorney's fees; and

18
19 e) costs.

20 Respectfully submitted,

21
22 
23 _____
24 MITCHELL D. GLINER, ESQ.
25 Nevada Bar #003419
26 3017 West Charleston Boulevard
27 Suite 95
28 Las Vegas, NV 89102
 Attorney for Plaintiff

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EXHIBITS

Prepared for
JERROD F LOGUE
Report number
0439673814

Report date
April 13, 2000
Questions?
Call 800 583-4080

Others who have requested your credit history.

Listed below are all those who have received information from us in the recent past about your credit history.

Requests initiated by you

You took actions, such as completing a credit application, that allowed the following sources to review your information. Please note that the following information is part of your credit history and is included in our reports to others.

Source	Date	Comments
CERTIFIED AUTO RETAILERS 5385 W SAHARA AVE LAS VEGAS NV 89146	3-5-2000	Unspecified purpose. This inquiry is scheduled to continue on record until 4-2002.
MONTGOMERY WARD/MBGA PO BOX 29110 SHAWNEE MISSION KS 66201	8-28-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 9-2000.
JFS INC 2035 WEST 4TH ST TEMPE AZ 85281	8-27-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 9-2000.
FLEET CC 300 NO WAKEFIELD DR NEWARK DE 19702	6-15-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	6-12-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	6-11-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.

EXHIBIT 1

FLEET CC	6-10-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	6-8-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	6-5-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	6-4-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	6-3-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	6-2-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	6-1-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 7-2000.
FLEET CC	5-29-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 6-2000.

Prepared for
JERROD F LOGUE
Report number
0439673814

Report date
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Questions?
Call 800 583.4080

FLEET CC	5-22-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 6-2000.
AVCO FINANCIAL SERVICES 1785 E SAHARA AVE STE 38 LAS VEGAS NV 89104	4-13-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 5-2000.
FLEET CC 300 NO WAKEFIELD DR NEWARK DE 19702	4-12-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 5-2000.
AUTO ONE ACCEPTANCE CORP 3501 JAMBOREE RD STE 450 NEWPORT BEACH CA 92660	4-8-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 5-2000.
COURTESY OF HENDERSON 260 N GIBSON RD HENDERSON NV 89014	4-8-1998	Unspecified purpose of \$3,700 with 36 Months repayment terms. This inquiry is scheduled to continue on record until 5-2000.
KEY BANK USA NA 33400 8TH AVE S FEDERAL WAY WA 98003	4-8-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 5-2000.
WFS FINANCIAL/DEALER CTR 23 PASTEUR IRVINE CA 92618	4-5-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 5-2000.
ONYX ACCEPTANCE CORP 6655 W SAHARA AVE STE E1 LAS VEGAS NV 89146	4-4-1998	Unspecified purpose. This inquiry is scheduled to continue on record until 5-2000.

PETE FINDLAY OLDSMOBILE
315 AUTO MALL DR
HENDERSON NV 89014

4-4-1998
Unspecified purpose. This inquiry is scheduled to continue on record until 5-2000.